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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,827	04/05/2004	Lucien Amiot	0579-1036	5014
466	7590	08/25/2006	EXAMINER	
YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			TAYLOR, APRIL ALICIA	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/816,827	<b>Applicant(s)</b> AMIOT ET AL.	
	<b>Examiner</b> April A. Taylor	<b>Art Unit</b> 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 43-62 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 43-46, 48-56 and 58-62 is/are rejected.
- 7) ☒ Claim(s) 47 and 57 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/2006</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Receipt is acknowledged of the Amendment filed June 12, 2006.

#### ***Drawings***

1. The drawings were received on June 12, 2006. These drawings are acceptable.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "...a key ring that extends through said through-hole to hold said small card in said pocket when inserted therein" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 43-46, 48-56 and 58--62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vedder et al (US 6,561,432) in view of Bashan et al (US 6,719,206) and Yamaguchi et al (US 7,000,842).

Re claims 43, 45, 46, 48, 53, 55, 56 and 58: Vedder et al teaches a preliminary base card (1) having a weakened line (perforated line) that delimits a small card that is detachable from the preliminary base card at the weakened line. The preliminary base

card is substantially rectangular and is in compliance with ID-1 standard. (See figures 1 and 2; col. 2, lines 1+)

Vedder et al fail to specifically teach or fairly suggest wherein the small card includes an antenna and a microcircuit.

Bashan et al teaches a data transaction card having a chip carrier module (10), which serves as the small card as recited in claim 43, the chip carrier module includes an antenna (40) and a microcircuit (30) (see figures 2-5; and col. 4, lines 46+). In view of Bashan et al's teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ an antenna and a microcircuit to the teachings of Vedder et al in order to provide a small card that can process and store a large amount of data and that is capable of wirelessly transmitting data to and from the card in a quick and efficient manner.

Vedder et al as modified by Bashan et al fail to teach or fairly suggest in combination a base including a pocket for holding a small card when inserted; a through hole for receiving a key ring; and a slot in an edge thereof extending to the pocket.

Yamaguchi et al teaches a card-holder having a base with a pocket for holding an inserted small card and a slot in an edge of the base extending to the pocket. The base further includes a through-hole that is capable of accepting a key ring. (See figures 1A-1E; col. 9, lines 20+) In view of Yamaguchi et al's teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate a base having a pocket; a slot extending to the pocket; and a through-hole to the teachings of Vedder et al as modified by Bashan et al in order to provide a

protective case/holder for preventing damage on the card when not being used and to easily transport the card without the need of a wallet or purse.

Re claims 44 and 54: Vedder et al as modified by Bashan et al and Yamaguchi et al fail to teach or fairly suggest a key ring passing through the through hole. However, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made integrate a key ring passing through the through hole to the teachings of Vedder et al as modified by Bashan et al and Yamaguchi et al fail in order to easily transport the card without the need of a wallet or purse.

Re claims 49 and 59: Vedder et al as modified by Bashan et al fail to teach or fairly suggest a pocket having a first dimension substantially equal to a first dimension of the small card and a second dimension at least as long as a second dimension of the small card so that the small card is held within said pocket when inserted therein.

Yamaguchi et al teaches wherein a pocket has a first dimension substantially equal to a first dimension of the small card and a second dimension at least as long as a second dimension of the small card so that the small card is held within said pocket when inserted therein (see figures 1A-1E). In view of Yamaguchi et al's teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate a pocket having the dimensions describe above to the teachings of Vedder et al as modified by Bashan et al in order to ensure that the card can fit within the pocket when inserted therein.

Re claims 50 and 60: Vedder et al as modified by Bashan et al fail to teach or fairly suggest a base being more mechanically rigid than the small card.

Yamaguchi et al teaches wherein the base is more mechanically rigid than the small card (see col. 9, lines 11-19). In view of Yamaguchi et al's teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate a mechanically rigid base to the teachings of Vedder et al as modified by Bashan et al in order to effectively protect the card from damage.

Re claims 51 and 61: Vedder et al as modified by Bashan et al and Yamaguchi et al fail to teach or fairly suggest a base being permeable to electromagnetic energy received by the antenna. However, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ a base being permeable to electromagnetic energy received by the antenna in order to allow a signal to be transmitted to and from the antenna.

Re claims 52 and 62: Vedder et al as modified by Bashan et al fail to teach or fairly suggest a base having a periphery that is at least partially rounded.

Yamaguchi et al discloses wherein a periphery of the base is at least partially rounded (see figures 2A, 3A, 7A and 42). In view of Yamaguchi et al's teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate a base having a periphery that is at least partially rounded to the teachings of Vedder et al as modified by Bashan et al in order to provide a protective card case/holder that can easily be carried by an individual.

***Allowable Subject Matter***

6. Claims 47 and 57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record, taken alone or in combination, fail to teach or fairly suggest, in conjunction with other limitations in the claims, a base for holding a small card, the base has a through-hole for extending a key ring through the through-hole to hold the small card in a pocket of the base when the small card is inserted into the pocket.

***Response to Arguments***

8. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Haghiri et al (US 6,964,377) discloses a portable data support with a detachable mini chip card; and Nishikawa et al (US 6,776,347) discloses a sheet-framed IC carrier and IC carrier case.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to April A. Taylor whose telephone number is (571) 272-2403. The examiner can normally be reached on Monday - Friday from 9:00AM - 5:30PM.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



AAT  
August 21, 2006



KARL D. FRECH  
PRIMARY EXAMINER



1/6

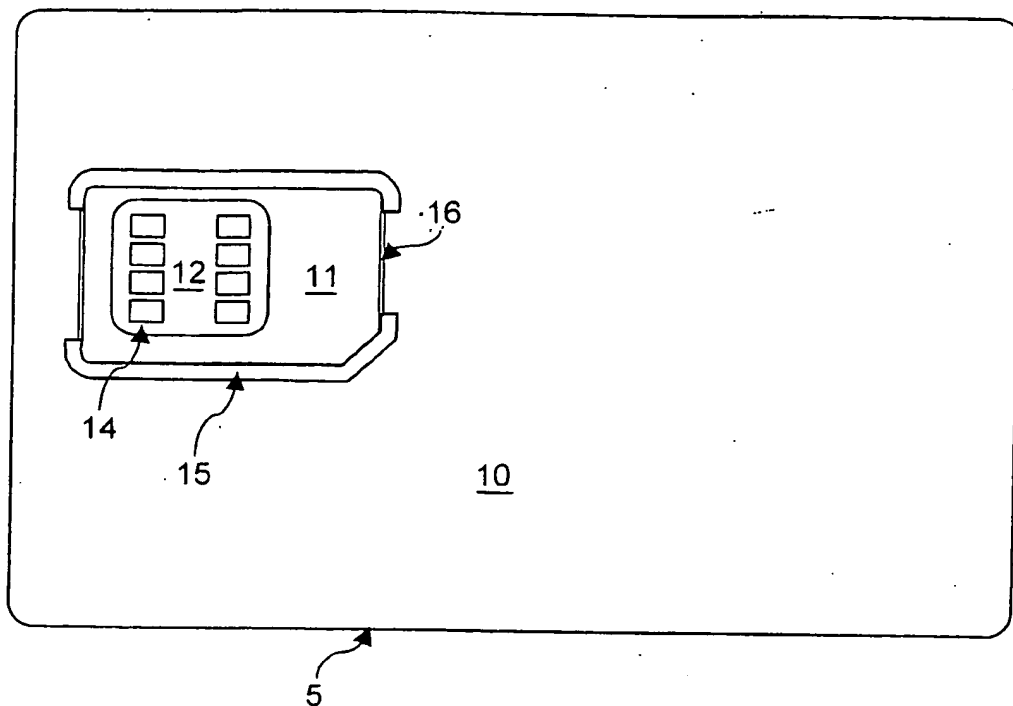


Fig. 1  
PRIOR ART

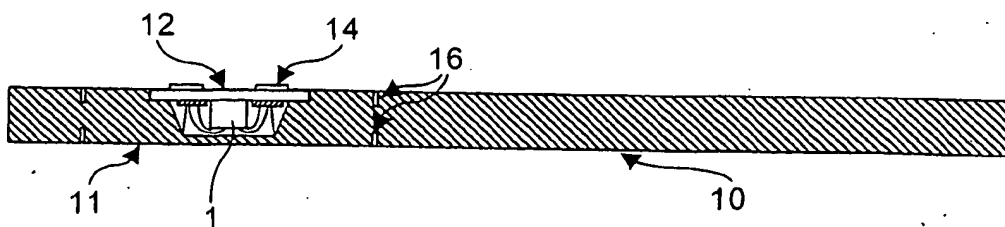


Fig. 2  
PRIOR ART

Drawings are acceptable 7/8/10/06